

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

FILED BY *S* D.C.
05 JUN 22 PM 2:19
ROBERT R. DI TROLIO
CLERK OF U.S. DIST. CT.
WD OF TN-JACKSON

DARNICE COX,

Plaintiff,

v.

MAYTAG JACKSON DISWASHING
PRODUCTS,

Defendant.

NO.: 04-1184-T-An

AMENDED RULE 16(b) SCHEDULING ORDER

Pursuant to the Court's Order granting Plaintiff's Unopposed Motion to Continue the trial and enter an amended Scheduling Order in this matter, the following dates were established as the final dates for:

JOINING PARTIES:

for Plaintiff: July 16, 2005
For Defendant: July 16, 2005

AMENDING PLEADINGS:

for Plaintiff: July 16, 2005
for Defendant: July 16, 2005

COMPLETING ALL DISCOVERY:

(a) **REQUESTS FOR PRODUCTION, INTERROGATORIES and
REQUESTS FOR ADMISSIONS:** October 10, 2005

- (b) **EXPERT DISCLOSURE (Rule 26(a)(2)):**
(i) Plaintiff's Experts: September 16, 2005
(ii) Defendant's Experts: October 16, 2005
(iii) Supplementation under Rule 26(e): October 26, 2005

- (c) **DEPOSITIONS:** November 7, 2005

FILING DISPOSITIVE MOTIONS: November 21, 2005

FINAL LISTS OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):

- (a) for Plaintiff: January 12, 2006
(b) for Defendant: January 27, 2006

Parties shall have 10 days after service of final lists of witnesses and exhibits to file objections under Rule 26(a)(3).

The trial of this matter is expected to last 2-3 days and is **SET** for **JURY TRIAL** on **MONDAY, FEBRUARY 27, 2006**. A joint pretrial order is due on **FRIDAY, FEBRUARY 17, 2006**. In the event the parties are unable to agree on a joint pretrial order, the parties must notify the court at least ten days before trial.

OTHER RELEVANT MATTERS:

Interrogatories, Requests for Production and Requests for Admissions must be submitted to the opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. For example, if the FED. R. CIV. P. allow 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or service of the response, answer, or objection which is the subject of the motion if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or any objection to the default, response, or answer shall be waived.

The parties are reminded that pursuant to Local Rule 7(a)(1)(A) and (a)(1)(B), all motions, except motions pursuant to FED. R. CIV. P. 12, 56, 59, and 60, shall be accompanied by a proposed Order and a Certificate of Consultation.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting

forth the reasons for which a reply is required.

At this time, the parties have not given consideration to whether they wish to consent to trial before the magistrate judge. The parties will file a written consent form with the court should they decide to proceed before the magistrate judge.

The parties are encouraged to engage in court-annexed attorney mediation or private mediation on or before the close of discovery.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this Order will not be modified or extended.

IT IS SO ORDERED.



S. THOMAS ANDERSON
UNITED STATES MAGISTRATE JUDGE

Date: June 22, 2005



Notice of Distribution

This notice confirms a copy of the document docketed as number 25 in case 1:04-CV-01184 was distributed by fax, mail, or direct printing on June 23, 2005 to the parties listed.

Michael L. Weinman
WEINMAN & ASSOCIATES
114 S. Liberty St.
Jackson, TN 38302

Christopher H. Steger
MILLER & MARTIN LLP
832 Georgia Ave.
Ste. 1000
Chattanooga, TN 37402--228

Honorable James Todd
US DISTRICT COURT